

REMARKS

Reconsideration of the present application is respectfully requested. Claims 3, 18, 22, 45 and 62 have been amended. Claims 92 and 93 have been newly added. No claims have been canceled in this response (claims 16-17, 35-36, 44, 46-56, 58, 61, 63-73, 78 and 80-90 have been previously canceled). No new matter has been added.

Claim Rejections

Independent claims 1, 21 and 91 stand rejected under 35 U.S.C. §103(a) based on Tso et al. (U.S. Patent no. 6,088,803, hereinafter “Tso”) in view of Bates et al. (U.S. Patent no. 6,785,732, hereinafter “Bates I”). Further, independent claims 40, 57 and 74 stand rejected under 35 U.S.C. §103(a) based on Tso in view of Bates I and in further view of Bates et al. (U.S. Patent no. 6,721,721, hereinafter “Bates II”). Applicant respectfully traverses the rejections.

As explained in the response to the Final Office Action mailed on 1/7/2005, the cluster-based approach to virus scanning taught in the application is particularly suited to scanning with a combination of vendors’ products. For example, each device in the cluster could implement one of the vendors’ products. Alternatively, a single device could implement a combination of vendors’ products.

While one vendor’s product might miss a virus, another vendor’s product might catch that same virus. Thus, the claimed approach can improve chances of catching viruses, in particular more complex or sophisticated viruses.

Independent claim 1 recites:

1. A method of attempting to provide virus protection including the steps of:
receiving at a first location a request from a user for an object;
processing said request at a second location, wherein said step of processing includes **scanning said object for viruses using a combination of vendors' products**;
responding to said request, wherein said step of responding includes delivery of a response to said user.
(emphasis added).

By contrast, Tso and Bates I, individually or in combination, do not teach or suggest the above emphasized limitation, namely scanning said object for viruses using a combination of vendors' products.

Applicant appreciates the Examiner's acknowledgement that "Tso does not explicitly teach processing said request at a second location, wherein said step of processing includes scanning said object for viruses using a combination of vendors' products." (*see* office action mailed on 1/31/2006, page 3). The Examiner, however, alleges that Bates I teaches or suggests the emphasized limitation of claim 1. Specifically, the Examiner points to Bates I's column 8, lines 61-66, alleging that Bates I teaches a drop-down box which can be used to select a specific virus scanning application and that the drop-down box may contain many different selections. However, the drop-down box taught in Bates I allows only one virus checker to be specified for performing virus checks. That is, the scanning task is always done by one virus checker as far as what Bates I discloses. By contrast, claim 1 recites a method using a combination of vendors' products to do the scanning task.

Thus, at least for the foregoing reasons, Tso and Bates I, individually or in combination, do not teach or suggest all limitations of claim 1. Therefore, the Examiner fails to make a *prima*

facie case of obviousness under §103(a). Claim 1 and all claims which depend on it are patentable over Tso and Bates I.

Similarly, independent claims 21 and 91 each recites similar limitation as discussed above for claim 1. For similarly reasons, claims 21, 91 and all claims which depend on them are all patentable over Tso and Bates I.

In addition, Bates II does not teach the above emphasized limitation of claim 1, either. Neither does the Examiner contend so, because the Examiner does not rely on Bates II in rejecting independent claims 1, 21 and 91. However, the Examiner relies on Bates II together with Tso and Bates I in rejecting independent claims 40, 57 and 74 under §103(a). Bates II discloses a method to integrate virus checking functionality into a computer database search environment to assist in protecting a user computer from contracting a computer virus when accessing search results. Bates II contains no discussion or even a hint regarding using a combination of vendors' products to scan an object. Claims 40, 57 and 74 each recites a limitation similar to the above emphasized limitation of claim 1. Thus, the Examiner fails to make a *prima facie* case of obviousness under §103(a), because Tso, Bates I and Bates II, individually or in combination, do not teach or suggest each and every limitation of claim 40, 57 or 74. At least for the above reasons, claims 40, 57, 74 and all claims which depend on them are patentable over Tso, Bates I and Bates II.

New claim 92 also recites a similar limitation, namely, scanning a file simultaneously for viruses using a combination of vendors' products. Thus, claim 92 is also patentable over Tso, Bates I and Bates II.

Similarly, new claim 93 recites a similar limitation, namely, scanning said object for virus using a combination of vendors' products. Thus, claim 93 is also patentable over Tso, Bates I and Bates II.

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

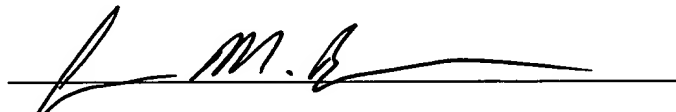
If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date:

5/31/06

A handwritten signature in black ink, appearing to read "M. B.", is written over a horizontal line.

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